

REMARKS

Claims 32-34, 42, 44-51, 56 and 57 are pending in this application. Claims 42, 47 and 48 are withdrawn from consideration. Claims 32-34, 44-46, 49-51, 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishima et al. (U.S. Patent No. 3,184,012) in view of Ryan et al. (U.S. Patent No. D468,995 S).

CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 32-34, 44-46, 49-51, 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujishima et al. (U.S. Patent No. 3,184,012) in view of Ryan et al. (U.S. Patent No. D468,995 S). The present application claims priority from U.S. Provisional Patent Application Serial No. 60/259,779 filed January 4, 2001 (see the enclosed filing receipt of the present application) and independent claims 32 and 51 in the present application are supported by the disclosure of the provisional patent application. (See the enclosed copy of the provisional application). Therefore, the present application has an effective filing date of January 4, 2001. The earliest effective filing date of Ryan et al. is the filing date of the application, November 21, 2001. In order for Ryan et al. to qualify as a prior art reference, Ryan et al. must have an earlier effective filing date than the effective filing date of the present application (i.e. January 4, 2001). As stated above, the earliest effective filing date of the Ryan et al. patent is the filing date of November 21, 2001. This date is not prior to the effective filing date of the present application (i.e. January 4, 2001). Therefore, the Ryan et al. patent does not qualify as prior art. In view of the above remarks, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Application No. 10/034,978
Paper Dated October 25, 2004
In Reply to USPTO Correspondence of July 28, 2004
Attorney Docket No. 1381-011312

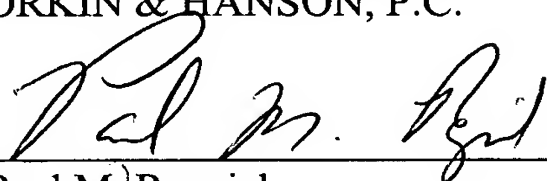
CONCLUSION

In view of the foregoing, it is believed that pending claims 32-34, 44-46, 49-51, 56 and 57 are patentable over the prior art of record and are in condition for allowance. Reconsideration of the rejections is respectfully requested.

Respectfully submitted,

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/034,978	12/28/2001	3635	0.00	1381-011312	6	30	5

CONFIRMATION NO. 1223

FILING RECEIPT



OC000000007395843

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Date Mailed: 01/31/2002

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Applicant(s)

Jeffrey B. Hundley, Alpharetta, GA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/259,779 01/04/2001

Foreign Applications

If Required, Foreign Filing License Granted 01/30/2002

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

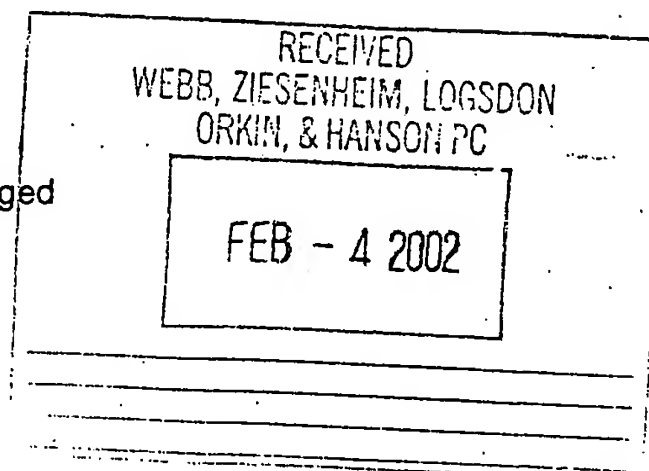
Early Publication Request: No

** SMALL ENTITY **

Title

Bracket for a structural panel and a structural panel made with such a bracket

Preliminary Class



052

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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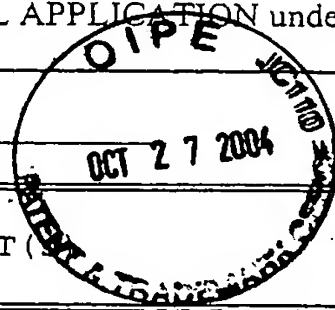
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PROVISIONAL APPLICATION COVER SHEET

COPY

This is a request for filing a PROVISIONAL APPLICATION under 37 CFR 1.53(c).



Attorney's Docket No. <u>1381-001091</u>	Type a plus sign (+) inside this box)	+
INVENTOR (s) / APPLICANT ()		
LAST NAME, FIRST NAME, MIDDLE INITIAL	RESIDENCE (CITY AND EITHER STATE OR FOREIGN COUNTRY)	
HUNDLEY, JEFFREY B.	Alpharetta, Georgia	
TITLE OF THE INVENTION (280 characters max)		
BUILDING PANEL FOR STRUCTURES ADAPTED TO CARRY LIVE AND DEAD LOADS		
CORRESPONDENCE ADDRESS		
Webb Ziesenheim Logsdon Orkin & Hanson, P.C. 700 Koppers Building, 436 Seventh Avenue Pittsburgh, Pennsylvania 15219-1818, United States of America Telephone No.: (412) 471-8815, Facsimile No.: (412) 471-4094		
ENCLOSED APPLICATION PARTS (check all that apply)		
<u>9</u> Number of Pages in Specification	<u>X</u> Small Entity Status is asserted for this application under 37 CFR 1.27	
<u>17</u> Number of Sheets of Drawing(s)	Other (specify) _____	
METHOD OF PAYMENT (check one)		
<u>X</u> A check or money order is enclosed to cover the Provisional filing fees (\$150.00 Large Entity; \$75.00 Small Entity). <u>X</u> The Commissioner is hereby authorized to charge any additional fees required for filing this application to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.		
PROVISIONAL FILING FEE AMOUNT(S) \$ <u>75.00</u>		

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

X No.

Yes, the name of the U.S. Government agency and the Government contract No. are: _____

Respectfully submitted,

SIGNATURE

TYPED NAME Paul M. Reznick

Date

January 4, 2001

Registration No. 33,059

☐ Additional inventors are being named on separately numbered sheets attached hereto.

PROVISIONAL APPLICATION FILING ONLY